

## REMARKS

The Office Action mailed March 7, 2007 considered claims 1-20. Claims 1-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al. (US 6,988,138) hereinafter *Alcorn* in view of Bjornestad et al. (US 7,003,576) hereinafter *Bjornestad* and Ward (US 2002/0138841) hereinafter *Ward*.<sup>1</sup>

By this amendment claims 1, 5, 12 and 18 have been amended, and claim 21 has been added.<sup>2</sup> Claim 11 has been cancelled. Accordingly, claims 1-10 and 12-21 are pending, of which claims 1, 10, 12, 18 and 21 are the only independent claims at issue.

The present invention is generally directed to enabling an organization to control user assignments and assessment results while enabling a proprietary provider to maintain control over distribution of proprietary content through an electronic network and over use of a proprietary assessment function. For example, claim 1 defines receiving user authentication information for a user from web browser. Next, claim 1 defines accessing a database to determine which assignments are available to the user based on the user authentication information, the assignments accessible from and controlled by the proprietary provider through the web browser. Next, claim 1 defines providing the web browser with a link to the LMS, the link indicating access to the assignments determined to be available to the user. Next, claim 1 defines receiving a request for the assignments determined to be available to the user. Next, claim 1 defines generating a proprietary content uniform resource locator (URL) identifying a location of proprietary content controlled by the proprietary provider in response to receiving the request.

Next, claim 1 defines generating a message for transmission to the browser, the message including hidden data and the proprietary content URL, the message configured to cause the browser to automatically request the proprietary content from the proprietary provider at the proprietary content URL without indicating to the user that the proprietary content was requested from the proprietary provider, the hidden data comprising at least one of information about the

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> Support for the amendments to the claims and new claim 21 are found throughout the specification and previously presented claims, including but not limited to paragraphs [0008], [0009], [0034]-[0037], [0041], [0043] and Figures 2 & 3.

organization, the user that activated the link, the assignment, and the proprietary provider, the hidden data being used to control distribution of the proprietary content to the browser and the user's interaction with the proprietary content in completing the assignment. Lastly, claim 1 defines transmitting the generated proprietary content URL and the generated message to the browser.

Claim 10 is a computer program product claim corresponding to claim 1. Claim 12 is a system claim corresponding to claim 1. Claim 18 is a method claim similar to claim 1, but directed to assessing user interaction with the proprietary content. Claim 21 is a method claim similar to claim 1, but from the perspective of a web browser.

Applicants respectfully submit that the cited art of record does not anticipate or otherwise render the amended claims unpatentable for at least the reason that the cited art does not disclose, suggest, or enable each and every element of these claims.

*Alcorn* describes a method and system for providing online education courses. *Alcorn* allows creation of online assignments, announcements, course materials, chat and whiteboard functionality for classes (Abs.). Users, as well as instructors, are able to create and/or edit online course materials (Col. 25:9-21). *Bjornestad* a method and system for allowing a user to access a learning management system (LMS) through a browser (see Fig. 1). *Ward* teaches a personalized, network-based distributed learning system. In *Ward*, similar to *Alcorn*, a user can dynamically create content, assessment materials and course curriculum (Abs.). *Ward* further teaches creating and sending reports to teachers regarding which curriculum was and was not understood by the students (par. [0140]).

However, neither *Alcorn*, *Bjornestad* nor *Ward* teach or suggest generating a proprietary content uniform resource locator (URL) identifying a location of proprietary content controlled by the proprietary provider in response to receiving the request, as recited in claim 1. Furthermore, neither *Alcorn*, *Bjornestad* nor *Ward* teach or suggest generating a message for transmission to the browser, the message including hidden data and the proprietary content URL, the message configured to cause the browser to automatically request the proprietary content from the proprietary provider at the proprietary content URL without indicating to the user that the proprietary content was requested from the proprietary provider, the hidden data comprising at least one of information about the organization, the user that activated the link, the assignment, and the proprietary provider, the hidden data being used to control distribution of the

proprietary content to the browser and the user's interaction with the proprietary content in completing the assignment, as recited in claim 1.

At least for either of these reasons, claim 1 patentably defines over the art of record. At least for either of these reasons, claims 10, 12, 18 and 21 also patentably define over the art of record. Since each of the dependent claims depend from one of claims 1, 10, 12, 18 and 21, each of the dependent claims also patentably define over the art of record for at least either of the same reasons.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 7<sup>th</sup> day of June, 2007.

Respectfully submitted,



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